

R E M A R K S

Applicants respectfully request further examination and reconsideration in view of the amendments above and the arguments set forth fully below. Claims 1-4 and 6-24 were previously pending in this application. Within the Office Action, claims 1-4 and 18-22 are allowed. Claims 6-17, 23, and 24 are rejected. By the above amendments, claims 6 and 13-17 are amended. Accordingly, Claims 1-4 and 6-24 are currently pending in this application.

Amendments to the independent method claims 6 and 13 do not incorporate new subject matter and do not raise new issues since the claims 6 and 13 as amended include method steps that correspond to the functional limitations claimed in the allowed independent system claim 1.

Rejections Under 35 U.S.C. § 102

Within the Office Action, claims 6-17, 23, and 24 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,493,438 issued to Gross et al. (hereinafter "Gross").

It is stated in the Office Action that the independent system claim 1 is allowable over the prior art, including Gross. The independent system claim 1 is directed to a billing system for automatically charging a call to a predetermined telephone line. The billing system includes a service configured to receive an incoming call from a calling party and to initiate an outgoing call to a called party, a switch coupled to the predetermined telephone line configured to store billing information in response to a triggering event, and a control point coupled to the service, the calling party, and the switch wherein the control point is configured to activate the triggering event in response to receiving an appropriate signal from the service and to transfer the incoming call from the service to the called party such that the calling party and the called party are connected, wherein the billing information corresponding to the outgoing call is stored in the switch and the stored billing information is used to charge the predetermined telephone line.

The amended independent method claim 6 includes similar subject matter as that of the allowed independent system claim 1, but in the form of a method claim. The amended independent method claim 6 is directed to method of billing a call to a predetermined telephone line wherein a user initiates the call from a calling party to a called party through a service. The method comprises the steps of configuring a service to receive an incoming call from a calling party and to initiate an outgoing call to a called party, configuring a switch to store billing

information in response to a triggering event, and configuring a control point to activate the triggering event in response to receiving an appropriate signal from the service and to transfer the incoming call from the service to the called party such that the calling party and the called party are connected thereby forming the outgoing call, wherein the billing information corresponding to the outgoing call is stored in the switch and the stored billing information is used to charge the predetermined telephone line. As acknowledged in the Office Action, the independent system claim 1 is allowable over Gross. Since the independent method claim 6 includes similar subject matter as that in allowed claim 1, but in method form, then the independent method claim 6 is also allowable.

Claims 7-12 are each dependent upon the independent Claim 6. As discussed above, Claim 6 is allowable. Accordingly, Claims 7-12 are each also allowable as being dependent upon an allowable base claim.

The amended independent method claim 13 also includes similar subject matter as that of the allowed independent system claim 1, but in the form of a method claim. The amended independent method claim 13 is directed to a method of billing a call to a predetermined telephone line wherein a user initiates the call through a service from a calling party to a called party. The method includes the steps of receiving an incoming call from the calling party by the service, sending a signal from the service to a control point, activating a triggering event in a switch associated with the predetermined telephone line by the control point in response to receiving the signal from the service, transferring the incoming call from the service to the called party such that the calling party and the called party are connected, thereby forming an outgoing call, and storing billing information corresponding to the outgoing call in the switch, wherein the billing information is used to charge the predetermined telephone line. As acknowledged in the Office Action, the independent system claim 1 is allowable over Gross. Since the independent method claim 13 includes similar subject matter as that in allowed claim 1, but in method form, then the independent method claim 13 is also allowable.


Claims 14-17 and 23-24 are each dependent upon the independent Claim 13. As discussed above, claim 13 is allowable. Accordingly, claims 14-17 and 23-24 are each also allowable as being dependent upon an allowable base claim.

For at least the reasons given above, Applicants respectfully submit that all of the claims are in a condition for allowance, and allowance at an early date would be appreciated. Should the Examiner have any questions or comments, he is encouraged to call the undersigned at (408) 530-9700 to discuss the same so that any outstanding issues can be expeditiously resolved.

Respectfully submitted,
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Dated: 6-1-04

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CERTIFICATE OF MAILING (37 CFR § 1.8(a))

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